

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11021 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- NALANDA COMPLAINT CASE District-
Nalanda

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SANTOSH KUMAR S/O- SRI RAM DEO PRASAD R/O- VILLAGE-
CHAINPUR, P.S.- CHANDI, DIST.- NALANDA AT PRESENT RESIDENT
OF MOHALLA KAUTILYA NAGAR, WARD NO.- 16 P.S.- HILSA, DIST.-
NALANDA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR, PATNA
2. ISHITA KUMARI D/O- SRI SARYUG SINGH R/O- VILLAGE-
KACHHARIYA, P.S.- CHANDI, DIST.- NALANDA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
	:	Ms. Vaishnavi Singh
	:	Mr. Ritwik Thakur
For the Opposite Party/s	:	Mr. Md. Anzarul Haque Sahara
For the Informant	:	Mr. Binit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 31-07-2024
1. Heard learned Counsel for the petitioner, learned Counsel
for the informant-Opposite Party No. 2 and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 318 of 2023, registered for the offences
punishable under Sections 341, 323, 498(A), 34 of the
Indian Penal Code and Sections 4 of the Dowry Prohibition
Act.

3. The allegation, as per the complaint, is that the marriage
of the Opposite Party No. 2 was solemnized with the
petitioner on 05.02.2022 and at the time of marriage, cash
of Rs. 20 lacs was demanded out of which Rs. 5 lacs was
given by means of bank transfer. Further, gold and silver



jewellery along with other articles were given to the petitioner and due to non-fulfillment of the said demand, the petitioner and other family members tortured the Opposite Party No. 2 physically as well as mentally and also ousted the Opposite Party No. 2 from her matrimonial home.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. However, without prejudice to the right and contention of the petitioner, and in order to maintain harmony in the family, the petitioner is ready and willing to pay a sum of Rs. 10,000/- per month to the Opposite Party No. 2 as living cost, subject to the final outcome of the present case as well as the matrimonial case pending between the parties.

5. Learned Counsel for the informant-Opposite Party No. 2 accepts the offer so made by learned Counsel for the petitioner and submits that the petitioner may be directed to deposit the said amount of Rs. 10,000/- per month in the bank account of the informant-Opposite Party No. 2, details of which shall be furnished by learned Counsel for the Opposite Party No. 2 to learned Counsel for the petitioner within one week from today.

6. After having heard learned Counsel for the parties and



taking into consideration the materials on record and the fact that the offer made by learned Counsel for the petitioner has been accepted by learned Counsel for the Opposite Party No. 2, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biharsharif, Nalanda, in connection with Complaint Case No. 318 of 2023.

9. This is subject to the condition that the petitioner shall deposit a sum of Rs. 10,000/- per month in the bank account of Opposite Party No. 2 positively, starting from 10th August, 2024.

(Anil Kumar Sinha, J)

HarshPandey/-

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